

FILED \*  
2011 NOV 14 P 2:44  
RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

TIMOTHY SCOTT CAMPBELL, *et al.*,

No. C 11-5498 RS

Plaintiffs,

**ORDER RE *EX PARTE* APPLICATION  
FOR TEMPORARY RESTRAINING  
ORDER**

v.

CITY OF OAKLAND, *et al.*,

Defendants.

On November 14, 2011, the Court received an *ex parte* request from plaintiffs for temporary injunctive relief from the alleged indiscriminate and excessive use of force by defendants, including the Oakland Police Department. To the extent plaintiffs rely on Federal Rule of Civil Procedure 65(b)(1) in support of their request, their complaint does not establish a basis to proceed without notice to the defendants. If they have not already done so, plaintiffs are instructed that they must serve defendants with notice of the request, unless "a statute, Federal Rule, local rule or Standing Order authorizes the filing of an *ex parte* motion in the circumstances and the party has complied with the applicable provisions allowing the party to approach the Court on an *ex parte* basis." Civil Local Rule 7-10. Specifically, plaintiffs must serve defendants with a copy of the application for temporary injunctive relief and all supporting papers, *see* Civil Local Rule 65-1, as well as a copy of this Order, by **November 14, 2011, at 5 p.m.** Defendants are instructed to file a written response to

1 defendants' request by **November 15, 2011, at 5 p.m.** At that point, the Court will consider  
2 plaintiff's request. In the interim, plaintiff's request for temporary relief is denied.

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4 IT IS SO ORDERED.

5 Dated: 11/14/2011

  
6 RICHARD SEEBORG  
7 UNITED STATES DISTRICT JUDGE  
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